

New guideline targets tomb raiders

Regulations put forth to curb thefts of cultural relics

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Last year, the National Cultural Heritage Administration announced that the Jiangcun Grand Tomb in Xi'an, Shaanxi province, is the resting place of Emperor Wen, who reigned during the Han Dynasty (206 BC-AD 220).

It came as a surprise because for centuries, ancient literature had led scholars to believe the tomb was in another location about 2 kilometers away.

The finding was the result of an archaeological excavation that started in 2017, a protective measure of last resort that was prompted by frequent tomb raids at the site.

All of those who participated in the raids have been caught and prosecuted.

In recent years, tomb raiders have become more sophisticated. They are equipped with better tools and a better understanding of cultural relics. They also have established clear divisions of labor and have made use of the internet to assist them in their crimes, according to Wang Yunxia, director of the Institute of Cultural Heritage Law affiliated to the Law School of the Renmin University of China.

"To a large extent, it has become more difficult to crack down on these types of crimes," she said.

In response, the Supreme People's Court, the Supreme People's Procuratorate, the Ministry of Public Security and the National Cultural Heritage Administration jointly issued a guideline in September to address the theft of cultural relics.

'Increasingly intelligent'

According to Wang, tomb raiders tend to go online to search for information related to ancient burial sites, look for accomplices, make plans and discuss details of their crimes. The internet can also help when they want to evaluate and sell the stolen goods.

"It means crime related to cultural relics is becoming increasingly intelligent with the use of the internet," she said.

Moreover, some relics located in remote villages, especially pieces of ancient architecture, have become important objects for criminals, who see them as easy to pilfer.

"Many young and middle-aged people living in old villages have migrated to cities for work, leaving children and seniors at home. They cannot stop such crimes," Wang said. "The rampant crimes require us to clarify standards for the conviction of such criminals."

The newly issued guideline offers more detailed regulations on how to determine illegal excavations, on the theft and disposal of stolen goods, on identifying cultural relics and on who has jurisdiction over each case.

"It provides clear guidance for law-enforcement departments to deal with the cases," Wang said of the document.

Highlighted in the document are regulations on how to determine whether people involved in the sale of the relics are aware that the items were stolen.

"It used to be a sore point in cases," Wang said. "Judging whether



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someone has such an awareness is key in measuring guilt, but it's very hard to identify a person's knowledge.

"The guideline makes it clear that any judgments made should consider factors such as a person's cognitive ability, criminal background, benefits gained, behavior during investigation, and the appearance and price of the cultural relics involved."

According to information revealed during the news conference, of the 3,058 criminal cases related to cultural relic thefts dealt with by the courts in the first instance between 2017 and last year, more than 80 percent involved illegally excavating ancient cultural sites and tombs.

China has approximately 760,000 immovable cultural heritage sites, and protecting them is a priority.

"The stolen cultural relics may be retrieved, but the damage of immovable sites is irreversible. A great amount of historical and cultural information may disappear with illegal excavation," said Liu Qingzhu, former director of the Institute of Archaeology at the Chinese Academy of Social Sciences.

The guideline also clarifies how to deal with would-be relic thieves.

"Sometimes, when people illegally excavate cultural sites, they are caught before doing any real damage. In those instances, they are often released without punishment," Wang said.

"The latest guideline, however, clarifies that depending on the significance of the sites and the circumstances of the crimes, people may be prosecuted even if they failed to actually steal anything or cause damage.

This could serve as a deterrent for potential criminals."

Clarifying roles

The guideline also makes clear the responsibilities of cultural relics authorities in identifying and evaluating the items.

"Judges and procurators may not know much about the value of concrete cultural relics, so they need experts' opinions to reach verdicts," Liu said.

Wang said: "The guideline gives more detailed guidance on how to apply the criminal law and the relevant judicial interpretations related to cultural relics. This helps to avoid the unjust phenomenon of handing down different sentences for the same crime, which is caused by a different understanding of certain provisions.

Nation to continue promoting protecting heritage, traditions

By LI YINGXUE
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China will continue to stress efforts to inherit and enhance the influence of traditional culture.

According to a report delivered by Xi Jinping, general secretary of the Communist Party of China Central Committee, at the opening session of the CPC's 20th National Congress on Oct 16, China will put more efforts into the protection of cultural relics and cultural heritage, and into strengthening the protection and inheritance of history and culture in urban and rural construction.

The report affirmed the significant achievements of cultural undertakings in the past decade. It said China will promote cultural

confidence and strength and further glorify socialist culture.

Deng Chao, an official at the National Cultural Heritage Administration, said the nation should implement the cultural heritage work policy, which is to prioritize cultural protection, strengthen management, explore its value and make effective use of relics.

"We need to increase the comprehensive, systematic and overall protection of cultural relics and cultural heritage, and promote cultural heritage protection," Deng said.

Li Liusan, head of the China Academy of Cultural Heritage, said the academy will focus on the goals and responsibility as the "national team" for cultural relics protection.

They will also strengthen top-level design and overall planning, and

deepen institutional and mechanism reforms, as well as strengthen theoretical research on cultural relics protection and excavate and explain the value of cultural relics, Li said.

"We will also accelerate the construction of a national science and technology innovation center for cultural heritage," he said.

Cao Jian'en, director of the Cultural Heritage Administration of the Inner Mongolia autonomous region, said that based on the endowment and advantages of the region's cultural heritage resources, the administration will ensure that the policies issued by the National Cultural Heritage Administration as part of the 14th Five-Year Plan (2021-25) will be implemented.

He said his department will also

enhance the protection and management level of immovable cultural relics, as well as build and make use of national culture parks, including those related to the Great Wall and the Yellow River.

"We will continuously improve the legal and regulatory system for cultural relics and promote the process of legalizing protection of cultural relics," he said.

Over the past decade, a series of policies have been launched — from guidelines promoting the reform and development of museums to the implementation of archaeological work outlined in the 14th Five-Year Plan, as well as the overall plan for Great Wall protection — that have provided specific guidance on cultural heritage work.

"It also strengthens the combination of the criminal law and cultural relics protection law, so, to a large extent, it now plays a key role in promoting the protection of cultural heritage in China."

Since 2009, several campaigns to prevent crimes related to cultural relics have been launched by the Ministry of Public Security and the National Cultural Heritage Administration. At first, the campaigns were confined to key areas where such crime was rampant, but it is now a nationwide effort.

During the latest campaign, which kicked off in 2020, public security offices nationwide have solved more than 3,950 cases related to cultural relics, arrested more than 8,420 suspects and retrieved 82,800 items, according to the Ministry of Public Security.

Policy Digest

Authorities ensuring subsidies for disabled

Authorities are stepping up efforts to ensure that subsidies designated for people with disabilities can be distributed in a more fair and effective way to benefit those who are really in need.

A guideline jointly issued on Friday by the Ministry of Civil Affairs, the Ministry of Finance and the China Disabled Persons' Federation introduced several measures aimed at enhancing supervision of living allowances and nursing care subsidies for the disabled.

The guideline said greater efforts should be made to make sure that the disabled and their guardians are informed of these subsidies, and local policies related to the subsidies that are inconsistent with those formulated by the State Council, China's Cabinet, should be corrected in a timely manner.

Furthermore, dynamic verification is needed so that subsidies for people who are no longer qualified to receive them can be suspended as soon as possible, the guideline said.

It also stressed strengthening supervision over the distribution and use of the subsidies, saying that the budget for the funding should be released in full.

Campaign to shield firms from illegal fees

The State Administration for Market Regulation and three other departments will jointly carry out special rectification actions targeting illegal fees being imposed on businesses as the country takes measures to stimulate market vitality.

According to a meeting held on Oct 24, the joint campaign is a significant effort to promote the implementation of preferential policies for enterprises and to create a better business environment.

It is also an important measure meant to regulate the behavior of authorities responsible for charging enterprises fees and spur the vitality of market entities to establish a long-term effective supervision mechanism and push forward relevant sectors' high-quality development, meeting participants said.

Given the tight schedule of the joint efforts, the participants required better coordination among different departments to ensure that the actions are carried out in a targeted and efficient way.

Better drinking water in rural areas sought

A special campaign has been carried out to improve the quality of drinking water supplied in rural areas as part of the country's efforts to advance rural vitalization across the board, according to a recent guideline.

The guideline, jointly issued by the Ministry of Water Resources and three other departments, said that by 2025, the quality of drinking water in rural areas should essentially be the same as that in the county seats that administer them.

To tackle the problem, the guideline said greater efforts are needed to protect drinking water sources, improve purification and disinfection facilities, and strengthen monitoring of water quality.

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Since 2013, the National Cultural Heritage Administration, together with over 20 related organizations, has issued more than 80 policy documents involving the management of cultural heritage resources, cultural heritage security, archaeological management, revolutionary cultural relics, museum reform and development, and other related matters.

A policy on "strengthening the management of private collections of cultural relics and promoting the orderly development of the heritage market" was jointly issued by six organizations in December last year.

Local governments also continue to pay more attention to cultural heritage work by issuing relative policies and guidelines. Thirty-one provincial-level regions have launched policies targeting reform of cultural relics protection and have incorporated cultural heritage safety into their local government assessment systems.

Meanwhile, 18 have included the protection of cultural relics in the scope of public interest litigation. According to the National Cultural Heritage Administration, over the past 10 years it has insisted on prioritizing cultural relics safety and continuously improving their inspection mechanisms for cultural relics. With the deepening of cooperation between their cultural relic security departments, the situation continues to improve.

The administration has handled over 5,000 cases involving the illegal possession of cultural relics, and directed public security offices to investigate 10,000 relic-related crimes, recovering 150,000 items in the process.

It has also cooperated with fire departments to look into and rectify over 200,000 hidden hazards at cultural relic sites.